

The actions delineated below were taken in open session of the EPSB at the September 20, 2004 regular meeting. This information is provided in summary form; an official record of the meeting is available on tape in the permanent records of the EPSB, 100 Airport Road, 3rd Floor, Frankfort, KY 40601.

**Education Professional Standards Board (EPSB)
Summary Minutes of the Business Meeting
EPSB Offices, 100 Airport Road, 3rd Floor
Frankfort, Kentucky
September 20, 2004**

Members Present:

Lonnie Anderson
Doris Barlow
Wally Campbell
Lydia Coffey
Sam Evans
Kristin Gregory
Kent Juett
Steve Lin
Rita Presley
Steve Schenck (for Gene Wilhoit)
Wilson Stone
Tom Stull
Ellie Thompson
Mark Wasicsko
Joe Welch

Members Absent:

Jim Applegate
Linda Livers

Minutes

Call to Order

Chair Lydia Coffey called the meeting to order at 9:00 AM EDT.

Swearing in of New Board Members

Ms. Brenda Allen swore in Mr. Lonnie Anderson, Superintendent, Whitley County Schools; Mr. Kent Juett, teacher, Ft. Thomas Independent Schools; and Mr. Steve Lin, teacher, Jefferson County Schools, as new board members, replacing Mr. Eugene Binion, Ms. Penny Robinson, and Ms. Joy Gray, respectively, whose terms had expired.

Amendment of Agenda

Motion made by Ms. Ellie Thompson, seconded by Dr. Mark Wasicsko to amend the meeting agenda, adding a waiver request from Ms. Barbara Bullitt, 16 KAR 6:010, Section, Assessments for Exceptional Children Certification.

Vote: Unanimous

Approval of Minutes

Motion made by Dr. Doris Barlow, seconded by Ms. Thompson, to approve the minutes of the August 9, 2004 EPSB meeting.

Vote: Unanimous

Election of Chair and Vice Chair

Ms. Thompson, representing the Election of Officers Nominating Committee, recommended that Ms. Coffey be re-elected as Chair and that Mr. Tom Stull be re-elected as Vice-Chair of the EPSB, effective September 2004 through August 2005.

2004-070 *Motion made by Ms. Thompson, seconded by Ms. Kristen Gregory, to accept the recommendation of the Nominating Committee to re-elect Ms. Coffey as Chair of the EPSB for 2004-05.*

Vote: Unanimous

2004-071 *Motion made by Ms. Thompson, seconded by Mr. Wilson Stone, to accept the recommendation of the Nominating Committee to elect Mr. Stull as Vice-Chair of the EPSB for 2004-05.*

Vote: Unanimous

Open Speak

Ms. Crystal Smallwood, past-president, Kentucky School Media Association, spoke with the board about school library media specialist certification.

Virginia Fox, Secretary, Education Cabinet, discussed with the board Governor Fletcher's seven-point Vision for Education entitled *It's All About Learning*.

Report of the Executive Director and Staff

Dr. Leib updated the board on Ms. Linda Livers who is recovering from a stroke. She is in a rehabilitation center in Bowling Green and is making progress toward a full recovery.

Dr. Leib recognized the following individuals:

- Ms. Chela Kaplan, Coordinator, KyEducators.org., who announced that the KyEducators.org web site recently received an Award of Merit from the Kentucky Association of Government Communicators, which was the highest honor bestowed by the association.
- Mr. Wendell Cave, Staff Assistant, who was quoted in the U.S. Department of Education's 2003-04 report entitled *The Secretary's Third Annual Report on Teacher Quality*. This report and accompanying data address the requirements of the Title II Higher Education Act (No Child Left Behind [NCLB] Act of 2001), which created a national reporting system on the quality of teacher preparation.

- Dr. Marilyn Troupe, Director, Division of Education Preparation, who has been recommended to serve on the National Council for the Accreditation of Teacher Education (NCATE) Appeals Board through June 2007.
- Ms. Priscilla Brame, University of Louisville; Karen Frohoff, Eastern Kentucky University (EKU); Arlene Hall, Murray State University; Roy Meckler, EKU; and Eve Proffitt, Georgetown College for their work with Education Testing Services in the review and development of the Education of Students with Disabilities test within the Praxis series.

Pursuant to the board's goal that the EPSB and its offerings for educators be better advertised, Dr. Leib showed board members the new EPSB banner that will be used to promote the agency at statewide conferences, fairs, and meetings. Brochures covering the agency, its programs, and alternative routes to certification are being printed.

Dr. Leib also updated the board on the status of the Request for Proposal (RFP) for the establishment of a clearinghouse for transcript analysis for those individuals whose transcripts do not have a declared major listed but feel they wanted to use coursework to add an endorsement or extension to their certificates -- an experimental program approved by the EPSB in March 2004 to assist districts in meeting the NCLB requirement that all teachers of core content be "highly qualified" by the end of the 2005-06 school year. Two proposals were received and one was selected by staff. However, during a meeting between the institution and EPSB staff, it was decided that the institution would withdraw its proposal in support of a proposal to be submitted by a consortium of institutions. The RFP has been reposted and the target date for beginning operation of the clearinghouse is October 1, 2004.

Dr. Troupe and Mr. Mike Carr reviewed with the board preparation program admission data as compared to teacher shortage areas in the individual districts and by region of the state. Dr. Troupe has shared this data with the deans and the institutions are discussing how best to address the high need areas -- e.g., foreign language, math, science. Much improvement has been noted in the number of special education teachers being prepared statewide, and similar attention is needed to meet the other shortages. The board encouraged the deans to provide feedback to the board regarding actions needed to facilitate the preparation of teachers in content areas that currently are under-staffed.

Ms. Brenda Allen reviewed with the board the draft 2005 Legislative Agenda. The agenda will be brought back to the board for approval at the November meeting.

Dr. Leib introduced Ms. Thelma Whiteside from Secretary Fox's Office. Dr. Troupe also introduced Dr. David Foreman, Dean, Georgetown College.

The following items were distributed and reviewed by board members:

- News article regarding Advanced Placement (AP) Calculus and an email from Kimberly Cardin, AP Teacher, Hardin County School Districts, on the requirements for teaching AP
- Letter from Mr. Ken Ellis, Executive Director, Personnel and Administration, Covington Independent Public Schools, regarding the success of the Emergency Non-Certified School Personnel Program
- Terms of current board members
- Updated listing of board member information

Report of the Chair

Ms. Coffey appointed the following board members and staff to the Executive Director Search Committee: Mr. Joe Welch, Dr. Wally Campbell, Mr. Stone, Ms. Livers, Mr. Anderson, Ms. Thompson,

Ms. Mona Curtsinger, Ms. Sherry Paul, Dr. Troupe, and herself. The Search Committee will meet on October 18, 2004 to review the applications for Executive Director and select three to five candidates to be interviewed by the full board on Sunday, November 21, 2004. The Committee will also formulate questions to be used during the interview process.

Ms. Coffey also appointed the following individuals to the Continuous Assessment Review Committee: Dr. Wanda Griffith, Northern Kentucky University; Ms. Nichole Bryan, Midway College; and Ms. Carlette Kiser, Pike County Public Schools.

Ms. Coffey presented Mr. Arthur Green and Ms. Joy Gray with a plaque of appreciation for their service to the board. Also recognized but unable to attend the meeting were Mr. Eugene Binion and Ms. Penny Robinson.

Information Items

Certification of Athletic Directors

During the EPSB's August 9, 2004 meeting, and pursuant to concerns raised by members of the Green River Regional Educational Cooperative, the issue of proper certification for curriculum consultants and athletic directors was discussed. EPSB members were in agreement that persons holding responsibilities other than classroom teaching -- i.e., oversight of curriculum or programs, and who serve in these positions during the instructional day, must hold either administrative or consultant certification. The case of athletic directors, however, poses special problems. As is the case with "instructional technology coordinators," many of the duties assigned to athletic directors are not instructional in nature, and few athletic directors actually oversee the physical education program.

Mr. Phil Rison, Assistant Principal and Athletic Director, Montgomery County Public Schools and President, Kentucky High School Athletic Director's Association, and Mr. Jim Watkins, Director of Academics, Activities and Athletics, Jefferson County Public Schools spoke with the board about athletic director certification. They specifically indicated that, as a member of the state professional organization, athletic directors are nationally certified and have professional development activities available to them through Leadership Training Courses.

After a lengthy discussion of the issue, the following motion was made:

2004-072 *Motion made by Mr. Welch, seconded by Mr. Anderson, to approve, that if the athletic director's position at a school district is considered CERTIFIED, then that person must have at least a valid teaching certificate in any area.*

Vote: Yes - 13

No - 1 (*Ms. Thompson*)

New Teacher Survey (2003-04 Kentucky Educator Preparation Program Report Card)

Since September 2001, the EPSB has published the Kentucky Educator Preparation Program (KEPP) Report Card to address the mandates of Senate Bill 77 from the 2000 General Assembly. The 2004 KEPP Report Card includes a survey of student teachers and their cooperating teachers and of intern teachers and their resource teachers. The focus of the survey is to ascertain how well

new teachers and their supervising teachers believe the new teachers were prepared to teach in Kentucky schools.

The survey was conducted by an external survey company, Star, Inc. Of the 11,301 persons included, 5,112 responded, resulting in a 45 percent response rate. Responses varied by school and category of respondent (i.e., intern, student teacher, cooperating teacher, and resource teacher). All survey information will be shared with the institutions for use in program improvement, and trend information as evidenced in the survey results will be presented at the November meeting.

Action Items

2003 Title II Report and the Quality Performance Index Report

2004-073 *Motion made by Mr. Stone, seconded by Ms. Gregory, to approve the 2003-04 Title II Report for submission to the United State Department of Education in October 2004.*

Vote: Unanimous

2004-074 *Motion made by Ms. Gregory, seconded by Dr. Barlow, to approve the 2003-04 Quality Performance Index Report.*

Vote: Unanimous

Emergency Review of Certification Programs Pursuant to the 2002-03 Title II Report

2004-075 *Motion made by Ms. Thompson, seconded by Dr. Wasicsko, to approve the Executive Director recommendations on the Emergency Review of Certification Programs at Alice Lloyd College, Brescia University, Kentucky State University, Kentucky Wesleyan College, Lindsey Wilson College, and Union College.*

Vote: Unanimous

Accreditation Reports

Kentucky Christian College

2004-076 *Motion made by Dr. Campbell, seconded by Mr. Anderson, to accept the Accreditation Audit Committee's recommendations and grant continuing accreditation for Kentucky Christian College.*

Vote: Unanimous

2004-077 *Motion made by Ms. Gregory, seconded by Mr. Juett, to accept the Accreditation Audit Committee's recommendations approve the initial level educator preparation programs for Kentucky Christian College.*

Vote: Unanimous

Kentucky Wesleyan College

2004-078 *Motion made by Dr. Sam Evans, seconded by Ms. Thompson, to accept the Accreditation Audit Committee's recommendations and grant continuing accreditation for Kentucky Wesleyan College.*

Vote: Unanimous

2004-079 *Motion made by Ms. Gregory, seconded by Mr. Stone, to accept the Accreditation Audit Committee's recommendations approve the initial level educator preparation programs for Kentucky Wesleyan College.*

Vote: Unanimous

Morehead State University

2004-080 *Motion made by Dr. Barlow, seconded by Mr. Juett, to accept the Accreditation Audit Committee's recommendations and grant continuing accreditation for Morehead State University.*

Vote: Unanimous

2004-081 *Motion made by Mr. Stone, seconded by Mr. Anderson, to accept the Accreditation Audit Committee's recommendations approve the initial and advanced level educator preparation programs for Morehead State University.*

Vote: Unanimous

Spalding University

2004-082 *Motion made by Dr. Wasicsko, seconded by Dr. Campbell, to accept the Accreditation Audit Committee's recommendations and grant continuing accreditation for Spalding University.*

Vote: Unanimous

2004-083 *Motion made by Ms. Gregory, seconded by Ms. Thompson, to accept the Accreditation Audit Committee's recommendations approve the initial and advanced level educator preparation programs for Spalding University.*

Vote: Unanimous

Thomas More College

2004-084 *Motion made by Dr. Campbell, seconded by Dr. Evans, to accept the Accreditation Audit Committee's recommendations and grant continuing accreditation for Thomas More College.*

Vote: Unanimous

- 2004-085** *Motion made by Dr. Campbell, seconded by Dr. Evans, to accept the Accreditation Audit Committee's recommendations approve the initial level educator preparation programs for Thomas More College.*

Vote: Unanimous

Code of Ethics for State Board and Commission Members, Revised

- 2004-086** *Motion made by Dr. Barlow, seconded by Ms. Thompson, to adopt the Model Code of Ethics for State Board and Commission Members as revised.*

Vote: Yes - 13
Abstain - 1 (Mr. Juett)

Kentucky Teacher Internship Program Appeals

- 2004-087** *Motion made by Ms. Gregory, seconded by Dr. Evans, to accept the recommendation of the KTIP Appeals Committee and reverse the KTIP Committee finding of "unsuccessful" for Ms. Janet Egger.*

Vote: Unanimous

- 2004-088** *Motion made by Ms. Thompson, seconded by Mr. Juett, to nullify, due to procedural errors, the 2003-04 internship for Mr. Robert Ray. Mr. Ray is allowed to repeat the internship without penalty.*

Vote: Unanimous

- 2004-089** *Motion made by Ms. Gregory, seconded by Mr. Anderson, to nullify, due to procedural errors, the 2003-04 internship for Ms. Kara Frankhouser. Ms. Frankhouser is allowed to repeat the internship without penalty.*

Vote: Unanimous

- 2004-090** *Motion made by Ms. Gregory, seconded by Dr. Evans, to accept the recommendation of the KTIP Appeals Committee and uphold the "unsuccessful" finding for Ms. Jill MacNiven.*

Vote: Unanimous

2004-05 Emergency Non-Certified School Personnel Program Applications

- 2004-091** *Motion made by Dr. Wasicsko, seconded by Ms. Gregory, to approve the Emergency Non-Certified Personnel Program Applications for 2004-05 for Anderson County, Ballard County, Barren County, Boone County, Boyle County, Burgin Independent, Butler County, Campbell County, Carter County, Casey County, Christian County, Covington Independent, Crittenden County, Eminence Independent, Erlanger-Elsmere Independent, Estill County, Franklin County, Gallatin County, Garrard County, Glasgow*

Independent, Grant County, Hancock County, Harrison County, Jefferson County, Lee County, Letcher County, Lincoln County, Logan County, Meade County, Morgan County, Owsley County, Paris Independent, Shelby County, Spencer County, Trigg County, Union County, Warren County, Washington County, West Point Independent, Wolfe County, and Woodford County Schools.

Vote: Unanimous

Alternative Route to Certification Applications

2004-092 *Motion made by Mr. Stone, seconded by Dr. Wasicsko, to approve, based on sufficient evidence of ten years' exceptional work experience, the application for provisional teaching certification in art, grades P-12, for Ms. Elizabeth Anne Spurlock.*

Vote: Unanimous

2004-093 *Motion made by Dr. Wasicsko, seconded by Ms. Gregory, to approve, based on sufficient evidence of ten years' exceptional work experience, the application for provisional teaching certification in chemistry, grades 8-12, for Mr. Edward Basquill.*

Vote: Yes - 13
No - 1 (Dr. Evans)

2004-094 *Motion made by Mr. Anderson, seconded by Ms. Thompson, to approve, based on sufficient evidence of ten years' exceptional work experience, the application for provisional teaching certification in mathematics, grades 8-12, for Mr. Clifton Joseph Haysley.*

Vote: Unanimous

Waiver Requests

2004-095 *Motion made by Dr. Wasicsko, seconded by Ms. Thompson, to deny the request of Ms. Audra Akers Jordan to waive 16 KAR 8:020, Extension to Complete Master's Degree.*

Vote: Unanimous

2004-096 *Motion made by Dr. Wasicsko, seconded by Dr. Campbell, to deny the request of Mr. Jeffrey R. Reese to waive 16 KAR 8:020, Extension to Complete Master's Degree.*

Vote: Yes - 10
No - 2 (Ms. Gregory and Mr. Juett)
Recuse - 2 (Dr. Evans and Mr. Wilson)

2004-097 *Motion made by Dr. Wasicsko, seconded by Ms. Gregory, to deny the request of Ms. Barbara Bullitt to waive 16 KAR 6:010, Assessments for Exceptional Children Certification.*

Vote: Unanimous

Exceptional Children Waiver Requests

2004-098 *Motion made by Dr. Wasicsko, seconded by Ms. Thompson, to approve the teaching assignment waivers as recommended by the Division of Exceptional Children Services and the Division of Certification.*

Vote: Yes - 13

Recuse - 1 (*Ms. Rita Presley*)

**DISCIPLINARY MATTERS:
MINUTES OF CASE REVIEW
September 20, 2004**

Motion made by Dr. Evans, seconded by Ms. Gregory, to go into closed session for the purpose of discussing proposed or pending litigation in accordance with KRS 61.701(c)&(j).

Vote: Unanimous

Motion made by Mr. Juett, seconded by Mr. Stone, to return to open session.

Vote: Unanimous

The following board members concurred with the actions as listed below with the noted exceptions:

Lydia Coffey, Doris Barlow, Wilson Stone, Mark Wasicsko, Joe Welch, Tom Stull, Sam Evans, Ellie Thompson, Wally Campbell, Kristin Gregory, Kent Juett, Stephen Lin, Lonnie Anderson, and Rita Presley.

Attorneys present were Brenda Dinkins Allen, Alicia A. Sneed and Robert S. Jones.

Initial Case Review

<u>Case Number</u>	<u>Decision</u>
04-0799	Dismiss
04-0678	Hear
04-0680	Hear
04-0681	Admonish
04-0682	Admonish
04-0683	Admonish

04-0684	Hear
04-0685	Admonish
04-07102	Hear
04-0686	Hear
04-0687	Hear
04-0688	Defer
04-0689	Admonish
04-0690	Admonish (<i>Mr. Stull, dissented</i>)
04-0691	Hear
04-0692	Hear
04-0565	Hear
04-0794	Hear
04-07100	Dismiss without prejudice
04-0797	Hear
04-0793	Hear (<i>Dr. Barlow, recused</i>)
04-0796	Dismiss (<i>Dr. Barlow, recused</i>)
03-10132	Hear
04-07101	Dismiss without prejudice
04-0798	Hear
04-08103	Dismiss
04-08104	Dismiss
02-0214	Dismiss without prejudice
95-10167	Hear
99-10271	Hear

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
04-144	Approve
04-146	Approve
04-147	Approve (<i>Dr. Evans, dissented</i>)
04-148	Approve
04-149	Approve
04-150	Approve
04-151	Approve
04-152	Approve
04-153	Approve
04-155	Approve
04-156	Approve
04-158	Approve
04-159	Approve
04-157	Approve
04-092	Deny
04-160	Approve
04-161	Approve
04-162	Approve
04-163	Approve
04-154	Approve
04-164	Approve
04-166	Approve

04-167	Approve
04-168	Approve
04-169	Approve
04-170	Approve
04-165	Approve
04-145	Approve
04-172	Approve
04-173	Deny (<i>Mr. Stull, dissented</i>)
04-174	Approve
04-175	Approve
04-176	Approve
04-177	Approve
04-178	Approve
00-0343	Approve
04-179	Approve
04-180	Approve

Agreed Orders

Case Number

Decision

04-0454 (Stanley Murphy)

Accept Agreed Order permanently revoking certificate upon voluntary surrender. Respondent shall neither apply for nor be issued a teaching certificate in the Commonwealth of Kentucky at any time in the future. Respondent agrees that he is ineligible to hold a teaching certificate and he is voluntarily, knowingly, and intelligently surrendering his certificate for cause. Respondent shall immediately surrender the original certificate and all copies of his certificate to the EPSB by delivering or mailing to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: Unanimous (*Dr. Evans, recused*)

04-0335 (Michael D. Cox)

Accept Agreed Order admonishing respondent for his neglect of duty and failure to care for the health, welfare, and safety of students under his care. This settlement agreement is expressly conditioned upon respondent's providing written proof to the Board that he has received six hours of professional development training in appropriate safety and security policies and procedures no later than February 1, 2005. Any expense for said training shall be paid by respondent. Should respondent fail to satisfy this condition, this Agreed Order shall be deemed null and void and disciplinary action shall be reinstated.

Vote: Unanimous

04-0322 (Eric Caudill)

Accept Agreed Order suspending respondent's teaching certificate in the Commonwealth of Kentucky for a period of one year from the date of acceptance of this Order by the Board. Moreover, no

certificate shall be issued on respondent's behalf for a period of one year from the date of acceptance of this order by the Board.

Vote: Unanimous

99-10271 (Anita Bates)

Accept Agreed Order suspending respondent's teaching certificate for two years, beginning June 30, 2003. Reinstatement of respondent's certificate is expressly conditioned upon respondent's providing, at the time of application and in addition to proof of any academic requirements, written evidence to the Board of completion of 12 hours of professional development/training in the area of ethics, as approved by the Board. Any expense incurred for said training shall be paid by the respondent.

Vote: Unanimous

04-0231 (Laura Brandenburg)

Accept Agreed Order revoking respondent's teaching certificate for a period of 10 years from the date this order is approved by the Board. Respondent shall immediately surrender the original certificate and all copies of her certificate to the EPSB by delivering or mailing to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: Unanimous

03-07100 (Beuford Horn)

Accept Agreed Order admonishing respondent for using physical force against a student. The Professional Code of Ethics for Kentucky School Certified Personnel requires each educator to take reasonable measures to protect the health, safety, and emotional well-being of his/her students. The Board warns respondent to be cognizant of this obligation and to exercise calmer and more patient judgment in his future interactions with students. This settlement agreement is expressly conditioned upon respondent's providing written evidence to the Board, on or before August 1, 2004, that he has completed an anger management course approved by the Board. Any expense for said course shall be paid by respondent. Should respondent fail to satisfy this condition, this settlement agreement shall be deemed null and void and disciplinary action against respondent shall be reinstated.

Vote: Unanimous

03-07113 (Delbert Newman)

Accept Agreed Order suspending respondent's teaching certificate, including any and all endorsements, for a period of two years from the date of acceptance of this Order by the Board. Reinstatement of this certificate is expressly conditioned upon the respondent's undergoing a comprehensive evaluation by a Kentucky licensed and/or certified mental health professional approved by the Board. This mental health professional shall present written evidence to the Board that respondent has complied with the evaluation process,

has successfully completed any and all treatment recommendations, and has no physical or mental incapacity that prevents him from performing his duties with reasonable skill, competence, and safety. Any expense for said evaluation, treatment, and/or written report shall be paid by respondent. If respondent fails to satisfy this condition, his teaching certificate shall not be reinstated.

Vote: Unanimous

02-12152 (David Sledd)

Accept Agreed Order admonishing respondent for failing to uphold the dignity and integrity of the profession. Respondent used another educator's account to gain access to inappropriate materials via the internet. This act was dishonest, immoral, and unethical, and a direct violation of the Code of Ethics governing Kentucky school certified personnel. The Board will not tolerate immoral, unethical, and dishonest behavior on the part of its teachers. Further, respondent must obtain 12 hours of professional development in the area of ethics by February 28, 2005. The cost for said program shall be the responsibility of respondent. Failure to satisfy this condition of this Agreed Order will deem this agreement null and void and the case will be reopened against respondent.

Vote: Unanimous

02-0794 (Cynthia Brewer)

Accept Agreed Order revoking respondent's teaching certificate. Respondent shall neither apply for nor be issued a teaching certificate in the Commonwealth of Kentucky for a period of five years from the date of acceptance of this Order by the Board.

Vote: Unanimous (*Dr. Campbell, recused*)

Motion made by Dr. Wasicsko, seconded by Ms. Gregory, to adjourn the meeting.

Vote: Unanimous.

The meeting adjourned at 3:45PM.

Next Meeting: **November 21-22, 2004**
 EPSB Board Room
 Frankfort, Kentucky